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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,100	12/29/2003	Jan Chipchase	883.0012.U1(US)	6917
29683	7590	04/07/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			WOO, STELLA L	
			ART UNIT	PAPER NUMBER
			2614	
DATE MAILED: 04/07/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/748,100

Applicant(s)

CHIPCHASE ET AL.

Examiner

Stella L. Woo

Art Unit

2614

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 11, 16-17, 32-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Adair et al. (US 6,424,369 B1, hereinafter “Adair”).

Regarding claims 1, 11, 17, 33, Adair discloses a handset (PDA 22), comprising:

a user interface that comprises a data entry device and a visual display device (LCD monitor includes a command screen 28 which receives touch screen input via stylus; col. 7, lines 45-47; Figure 2);

a camera (camera module 10); and

a controller (computer processing and memory unit 82) coupled to the visual display device and to the camera (10), said controller operating under the control of a stored program for displaying to a user an image representing of at least a portion of an environment of the user as seen through the camera during a time that the user is interacting with said user interface (the user can view the image captured by camera 10 on a video view screen 26 while interacting with the command screen 28 using a stylus; col. 7, lines 40-47).

Regarding claims 16, 32, PDA 22 includes a CDPD transceiver 36, speaker 76 and microphone 78 for cellular telephone communications (col. 8, lines 10-14; col. 9, lines 30-31).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-6, 18-22, 34-35, 39-45, 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adair in view of JP 200307913 A (Matsui).

Adair differs from claims 2-6, 18-22, 34-35, 39-45, 49-50 in that it does not specify detecting a potential for a collision. However, Matsui teaches the desirability of incorporating a collision preventing device within a video camera and informing the photographer of the existence of an obstacle via vibration signal (Abstract) such that it would have been obvious to an artisan of ordinary skill to incorporate such a collision preventing device, as taught by Matsui, within the PDA/camera apparatus of Adair so that a mobile user of the PDA who is busy viewing the display can be informed of a potential for a collision.

5. Claims 7, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Adair and Matsui, as applied to claims 2 and 18 above,

and further in view of Kostrzewski et al. (US 2006/0023105 A1, hereinafter "Kostrzewski").

The combination of Adair and Matsui differs from claims 7 and 23 in that it does not specify using a fish-eye lens. However, Kostrzewski teaches the desirability of using a fish-eye lens in a collision avoidance application (paragraph 42) such that it would have been obvious to an artisan of ordinary skill to incorporate such a fish-eye lens, as taught by Kostrzewski, within the combination of Adair and Matsui in order to gain a wider field-of-view, thus, detecting a collision potential in a broader environment.

6. Claims 8, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adair in view of McKinney (US 6,813,491 B1)

Adair differs from claims 8, 24 in that it does not specify a context sensor. However, McKinney teaches the well known use of a context sensor (motion sensor 670 detects motion of the wireless device so that features or aspects of the wireless device can be set or altered based on the detected motion; col. 5, lines 34-42). It would have been obvious to an artisan of ordinary skill to incorporate such use of a motion sensor for controlling device features, as taught by McKinney, within the wireless device of Adair in order to automatically activate the camera feature whenever the device is moving.

7. Claims 9, 25, 36-37, 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Adair and Matsui, as applied to claims 2,

18, 34, 41-42 above, and further in view of McKinney for the same reasons applied to claims 8, 24 above.

8. Claims 10, 13-15, 26, 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adair in view of Osann, Jr. (US 2004/0203608 A1).

Adair differs from claims 10, 13-15, 26, 28-31 in that it does not teach displaying the video view image as a background to the displayed data. However, Osann, Jr. teaches that it is well known in the art to display digits and icons superimposed over the camera display (paragraph 37, last sentence) such that it would have been obvious to incorporate such superimposed display, as taught by Osann, as an alternative to the separate screens of Adair.

9. Claims 38 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Adair and Matsui, as applied to claims 35 and 41 above, and further in view of Osann for the same reasons applied to claims 10, 13-15, 26, 28-31 above.

10. Claims 12 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adair in view of Hiroyasu et al. (US 2003/0210440 A1, hereinafter "Hiroyasu").

Adair differs from claims 12 and 27 in that it does not specify display an image in a scaled format. However, Hiroyasu teaches the desirability of displaying an image picked up by a camera at a reduced size (see Figures 53 and 54) such that it would have been obvious to an artisan of ordinary skill to

incorporate such display of the camera view image a reduced size, as taught by Hiroyasu, within the device of Adair.

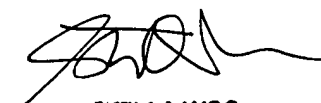
Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tanaka et al., and Arakawa et al. show portable game devices with cameras.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Friday, 8:00 a.m. to 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


STELLA WOO
PRIMARY EXAMINER